

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK
Binghamton Division**

AMANDA DAVID, and
ROOTWORK HERBALS, LLC

Plaintiffs,

vs.

ROBERT WHITTAKER, JR.

Defendant.

Civil Action No.: 3:24-cv-00699-DNH-ML

PLAINTIFFS' STATUS REPORT

Pursuant to the Court's December 20, 2024 Text Order (Dkt. 25), Plaintiffs hereby submit this Status Report regarding the status of criminal proceedings against Defendant Robert Whittaker, Jr. that are related to the claims at issue in this action.

On February 10, 2025, the Defendant was found guilty of violating an order of conditional discharge related to the conduct alleged in Plaintiffs' Amended Complaint (Dkt. 11) and was sentenced to complete a period of incarceration of 364 days. It is Plaintiffs' understanding that, based on time previously served, the Defendant will remain incarcerated for approximately nine months.

Additional criminal charges remain pending against Defendant related to the conduct alleged in this case. As of the filing of this status update, the next hearing regarding those charges is scheduled for March 27, 2025. The anticipated completion of the proceedings for those pending charges is unknown to Plaintiffs at this time.

Plaintiffs remain amenable to a continued stay of the Rule 16 conference in this action until the pending criminal charges against Defendant are resolved. However, counsel for Plaintiffs believe that it would be helpful for the Court to order that Defendant provide initial disclosures in this matter within seven business days of the disposition of the pending criminal charges and to set a reasonable timeframe thereafter for the rescheduling of the Rule 16 Conference. Plaintiffs note that their initial disclosures were provided to counsel for Defendant on December 12, 2024, prior to the Court's Text Order staying the Rule 16 Conference.

Dated: March 11, 2025

Respectfully submitted,

s/ M. Casey Weissman-Vermeulen

M. Casey Weissman-Vermeulen (Bar #702110)

Director, Housing Clinic

Syracuse University College of Law

Dineen Hall, 950 Irving Avenue, Suite 200

Mailing: P.O. Box 6543

Syracuse, NY 13217

(315) 443-4582

(315) 443-3636 (*facsimile*)

mcweissm@syr.edu

Conor Kirchner

CNY Fair Housing, Inc.

731 James Street, Suite 200

Syracuse, NY 13203

(315) 470-0420

ckirchner@cnyfairhousing.org

Counsel for Plaintiffs

Certificate of Service

I hereby certify that on this 11th day of March, 2025 a copy of the forgoing Notice of Change of Address was filed using the CM/ECF system for the Northern District of New York, which shall serve as a notice of filing on all counsel of record.

s/ M. Casey Weissman-Vermeulen

M. Casey Weissman-Vermeulen

Attorney for Plaintiffs